

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 9, 2007
POSITION: Oppose

BILL NUMBER: SB 557
AUTHOR: P. Wiggins

BILL SUMMARY: Workers' Compensation: Evaluators: Audiologists

This bill would include doctors of audiology as qualified medical evaluators (QME), to make disability determinations, as specified.

FISCAL SUMMARY

The DIR indicates that the approximate one-time cost associated with this bill would be \$100,000 to develop a new exam because the doctors of audiology would not be able to take the same exam as the medical doctors.

COMMENTS

Existing law does not allow audiologists to treat workers' compensation patients. In addition, existing law requires the Administrative Director of the Division of Workers' Compensation to establish a list of medical professionals to serve as QMEs in contested workers' compensation cases. The QMEs must be a physician as defined in Section 3209.3 of the Labor Code, which includes physicians and surgeons holding a doctoral of medicine or osteopathy degree, psychologists, acupuncturists, optometrists, dentists, podiatrists, and chiropractic practitioners, as specified.

This bill would allow doctors of audiology to be included as physicians in Section 3209.3 of the Labor Code. Audiologists examine individuals with hearing, balance, and related ear problems. In addition, to qualify as a QME, this bill would require that doctors of audiology have the following:

- Hold a doctorate of audiology and/or a doctoral of physiology.
- Have a minimum of five years of postdoctoral experience.

The Department of Finance is opposed to this bill for the following reasons:

- Currently, doctors that specialize in ear, nose, and throat diagnosis and treatment are qualified as QMEs and provide the expertise in contested workers' compensation cases.
- It is unclear if the expertise of the audiologist would be beneficial in resolving contested claims.
- Audiologists are not authorized to treat workers' compensation patients, thus allowing them to be QMEs does not appear to be consistent with current QME/treatment abilities provided to other types of physicians.

Analyst/Principal (0243) K. Shelton	Date	Program Budget Manager Todd Jerue	Date
--	------	--------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
----------------------	-----------------------------

BILL NUMBER

SB 557

		SO	(Fiscal Impact by Fiscal Year)						
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP							Fund
Type	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
7350/DIR	SO	No	C	\$100		--		--	0223
<u>Fund Code</u>	<u>Title</u>								
0223	Workers' Comp Administration Revolv Fund								